

HOUSE BILL 47
By Miller L

AN ACT to amend Tennessee Code Annotated, Title 67,
Chapter 4, Part 17 and Title 68.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 68, is amended by adding the following language as a new chapter:

Section 68-116-101. As used in this part, unless the context otherwise requires:

(1) "Athletic event" means any sport, athletic game, contest, or race involving machines, persons or animals either viewed by the public or for which a fee or admission is charged;

(2) "Commissioner" means the commissioner of the department of commerce and insurance;

(3) "Professional athlete" means an athlete that receives compensation, in any form, for participation in an athletic event. "Professional athlete" does not include an athlete who does not receive, or accept, compensation for participation in an athletic event; provided that, for the purposes of this part, compensation does not include the reimbursement of reasonable expenses incurred by an athlete in connection with participation in an athletic event, or trophies, medals, shirts, jackets or other symbols of participation; and

(4) "Professional coach" means a coach who receives compensation for coaching professional athletes.

Section 68-116-102.

(a) Beginning on August 1, 2005, each professional athlete and each

professional coach shall register with the department of commerce and insurance prior to participation in any athletic event in Tennessee or prior to coaching a professional athlete in Tennessee.

(b) A violation of this section is a Class C misdemeanor, punishable by fine only.

Section 68-116-103.

(a) The commissioner shall develop a registration form for professional athletes and professional coaches. Each form shall be signed by the athlete or coach and submitted to the department with the following:

(1) A registration fee of one hundred dollars (\$100); and

(2) Any additional information the commissioner deems appropriate.

Upon submission of the registration form, fee and any additional information required by the commissioner, the commissioner shall issue a registration card to each professional athlete and professional coach competing or coaching in Tennessee.

(b) A registration card shall include, but not be limited to, the full name of the athlete or coach, the athlete or coach's blood type, any known pharmaceutical allergies and the primary sport in which the athlete or coach participates. Each card shall contain a unique identifying number.

(c) An athlete or coach shall produce a valid registration card upon request of the commissioner, law enforcement official, hospital official or district attorney general.

(c) Such card shall be valid for one (1) year from the date of issuance and shall be renewable annually.

SECTION 2. Tennessee Code Annotated, Section 67-4-1702(a), is amended by deleting the word "and" at the end of subdivision (5); by deleting the period at the end of

subdivision (6) and substituting instead a semi-colon and the word "and"; and by adding the following language as a new subdivision to be designated as follows:

(7) Persons registered as either professional athletes or professional coaches pursuant to chapter 68, chapter 116, part 1.

SECTION 3. Tennessee Code Annotated, Section 67-4-1703, is amended by deleting subsection (a) in its entirety and by substituting instead the following"

(a) The privilege tax established by this part is four hundred dollars (\$400) per each one hundred thousand dollars (\$100,000), or portion thereof, of annual adjusted gross income, as reported to the United States internal revenue service for income tax purposes. The privilege tax is due and payable on June 1 of each year. Taxes paid after June 1 are delinquent.

SECTION 4. Tennessee Code Annotated, Section 67-4-1703, is amended by deleting subsection (b) in its entirety and by substituting instead the following:

(b) Any person who is licensed or registered for two (2) or more professions taxed pursuant to the provisions of this part shall not be required to pay more than one (1) tax in the amount provided pursuant to subsection (a).

SECTION 5. Any registration fees collected pursuant to the provisions of this act shall first be used to defray the cost of administration of this act and any fees in excess of the amount required to defray such costs shall be deposited in the general fund.

SECTION 6.

(a) The commissioner of commerce and insurance is authorized to promulgate rules and regulations as the commissioner deems necessary to effectuate the purposes of this act. All such rules and regulations shall be promulgated in accordance with the provisions of the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

(b) Notwithstanding the provisions of §§ 4-5-208 and 4-5-209 or any other provision of law to the contrary, the commissioner of commerce and insurance is authorized to promulgate public necessity rules and emergency rules to implement the provisions of this act.

SECTION 7. This act shall take effect July 1, 2005, the public welfare requiring it.